

STATEMENT TO
[Fourth Reprint]
ASSEMBLY, No. 4049

with Senate Floor Amendments
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 21, 2023

The floor amendments clarify that the provision of presumptive eligibility under the bill is for Medicaid, including where appropriate, eligibility for the managed long-term services and supports program, rather than for home and community-based services and services provided through the program of all-inclusive care for the elderly. The floor amendments further clarify that an individual who is awaiting an eligibility determination for Medicaid for the managed long-term services and supports program, rather than home and community-based services, and who is financially eligible for the managed long-term services and supports program, rather than home and community-based services, will qualify for the provision of presumptive eligibility under the bill, provided that the individual meets the existing requirement of seeking home and community-based services.

The floor amendments provide that the provision of presumptive eligibility under the bill is to occur within 30 months of the enactment of the bill and is contingent on securing all necessary federal approvals and federal financial participation as may be necessary.

The floor amendments require the Department of Human Services to assess the success of other jurisdictions in providing for presumptive eligibility for home and community-based services and related services for Medicaid recipients; consider methods for minimizing costs due to determinations of clinical or financial ineligibility; and engage with relevant stakeholders to determine how to best tailor the benefit to the needs of the Medicaid population when designing the presumptive eligibility program described in the bill.

The floor amendments provide that “home and community based services,” as used in the bill, means community-based services provided under the managed long term services and supports program or personal care assistant services provided in the home under New Jersey’s Medicaid State Plan.

The floor amendments provide that the provisions of the bill are to take effect immediately upon enactment, rather than on the first day of the 18th month next following enactment and with the Commissioner of Human Services being authorized to take any anticipatory administrative action in advance as is necessary for implementation.